

7-10-05 3:21PM; DAVIES COLLISON CAVE

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention** SKIN PHOTOAGEING AND ACTINIC DAMAGE TREATMENT

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ U.S. Application No. 10/528,911, Int'l Application No. PCT/AU03/01265, Int'l filing date 09/23/2003,
- ☐ as amended on _____ (if applicable);


I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one:	<u>Graham Edmund Kelly</u>	Citizen of:	<u>Australia</u>
Signature:		Date:	<u>28/9/2005</u>
Inventor two:	<u>Alan Husband</u>	Citizen of:	<u>Australia</u>
Signature:	_____	Date:	_____
Inventor three:	<u>Cath Walker</u>	Citizen of:	<u>Australia</u>
Signature:	_____	Date:	_____
Inventor four:	_____	Citizen of:	_____
Signature:	_____	Date:	_____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
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- ☒ U.S. Application No. 10/528,911, Int'l Application No. PCT/AU03/01265, Int'l filing date 09/23/2003,
- ☐ as amended on _____ (if applicable);

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All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Graham Edmund Kelly Citizen of: Australia

Signature: _____ Date: _____

Inventor two: Alan Husband Citizen of: AustraliaSignature:  Date: 06/10/05Inventor three: Cath Walker Citizen of: AustraliaSignature:  Date: _____

Inventor four: _____ Citizen of: _____

Signature: _____ Date: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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☐ as amended on _____ (if applicable):

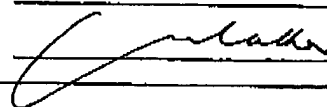
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FULL NAME OF INVENTOR(S)

Inventor one:	<u>Graham Edmund Kelly</u>	Citizen of:	<u>Australia</u>
Signature:	_____	Date:	_____
Inventor two:	<u>Alan Husband</u>	Citizen of:	<u>Australia</u>
Signature:	_____	Date:	_____
Inventor three:	<u>Catherine Cath Walker</u>	Citizen of:	<u>Australia</u>
Signature:		Date:	<u>28/9/05</u>
Inventor four:	_____	Citizen of:	_____
Signature:	_____	Date:	_____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Docket No. 700138.402USPC C:\Nrpont\Manage\JOHN0683447_1.DOC

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EXPRESS MAIL NO. EV5309-379209

10/528911

ELECTION AND POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/528,911
	Int'l Filing Date	September 23, 2003
	First Named Inventor	Graham Edmund Kelly
	Title	SKIN PHOTOAGEING AND ACTINIC DAMAGE TREATMENT
	Art Unit	
	Examiner Name	
	Attorney Docket Number	700136.402USPC

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: **00500**

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above (and any continuation/divisional applications therefrom), and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Email			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☒ As assignee of record of the entire interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record

Signature	<i>Donald Lea Eckart</i>	Date	<i>October 2005</i>
Name	DONALD LEA ECKART		
Title and Company (Assignee)	SECRETARY Novogen Research Pty. Ltd.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Graham Edmund Kelly et al.Application No./Patent No.: 10/528,911 Int'l Filed: September 23, 2003Entitled: SKIN PHOTOAGEING AND ACTINIC DAMAGE TREATMENTNovogen Research Pty. Ltd.

(Name of Assignee)

a

corporation(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title noted in B above are
attached.**(NOTE:** A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment
Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See
MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

RONALD LEX GERATTSECRETARY

Typed or printed name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 700138.402USPC

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ASSIGNMENT


WHEREAS, we, Graham Edmund KELLY, Alan HUSBAND and Cath WALKER (hereinafter referred to as ASSIGNORS), having mailing addresses of 47 Coolawin Street, Northbridge, New South Wales 2063 AUSTRALIA, 2/18 Crescent Street, McMahons Point, New South Wales 2060 AUSTRALIA and 5 Sutton Street, Balmain, New South Wales 2041 AUSTRALIA, respectively, are the joint inventors of an invention entitled "SKIN PHOTOAGEING AND ACTINIC DAMAGE TREATMENT," as described and claimed in the specification for which an application for United States letters patent was filed and assigned Application No. 10/528,911. This application is a national stage application filed under 35 U.S.C. 371 of International Application No. PCT/AU03/01265, accorded an International Filing Date of September 23, 2003;

WHEREAS, Novogen Research Pty. Ltd. (hereinafter referred to as ASSIGNEE), having a usual place of business at 140 Wicks Road, North Ryde, New South Wales 2113 AUSTRALIA, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and, in any and all divisions, reissues and continuations thereof, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

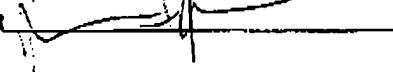
International Application No.: PCT/AU03/01265
U.S. Application No. 10/528,911

28/9/2005
Date


Graham Edmund KELLY

I certify that I know or have satisfactory evidence that Graham Edmund KELLY signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

28 Sep 05
Date
(Type or Print)
JONATHAN INGRAM
(Type or Print Name of Witness)

Signed at 
(Signature of Witness)

Date

Alan HUSBAND

I certify that I know or have satisfactory evidence that Alan HUSBAND signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date
(Type or Print)
(Type or Print Name of Witness)

Signed at
(Signature of Witness)

7-10-05; 3:21PM; DAVIES COLLISON CAVE

; 612 92621080

8/ 10

International Application No.: PCT/AU03/01265
U.S. Application No.: 10/528,911

Date

Graham Edmund KELLY

I certify that I know or have satisfactory evidence that Graham Edmund KELLY signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date

(Type or Print)

Signed at

(Type or Print Name of Witness)

(Signature of Witness)

Date

19/09/05

Alan HUSBAND

I certify that I know or have satisfactory evidence that Alan HUSBAND signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date

19/09/05
(Type or Print)

Signed at SYDNEY, AUSTRALIA

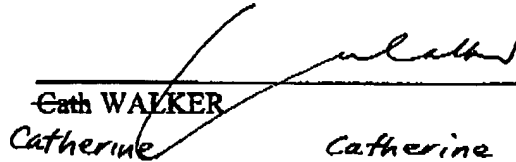
ANDREW HEATON

(Type or Print Name of Witness)

(Signature of Witness)

International Application No.: PCT/AU03/01265
U.S. Application No.: 10/528,911


28/9/05
Date


Cath WALKER
Catherine *Catherine*

I certify that I know or have satisfactory evidence that Cath WALKER signed this instrument of his/her own free will, as a voluntary act for the uses and purposes mentioned in the instrument.

Date 28/09/05
(Type or Print)

MICHAEL MAX REVELT
(Type or Print Name of Witness)

Signed at SYDNEY

(Signature of Witness)

(700136.402USPC)
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